

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

A STRONG CITY, *et al.*,

Plaintiff,

v.

**THE CITY OF COLUMBUS, OHIO,
et al.,**

Defendants.

Case No. 2:24-cv-3668

Judge James L. Graham

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before the Court for consideration of the July 12, 2024 Report and Recommendation of Magistrate Judge Deavers. (ECF No. 3). Magistrate Judge Deavers recommended that Plaintiff A Strong City’s Application to proceed *in forma pauperis* (ECF No. 1) be denied on the grounds that a corporation may not proceed *in forma pauperis*. Magistrate Deavers also recommended that A Strong City’s claims be dismissed without prejudice because a corporation may not litigate a case *pro se*. As it concerns Plaintiff Rev. Dr. Andrew Wenmoth, Magistrate Deavers recommended that his application to proceed *in forma pauperis* be granted. As to Rev. Dr. Wenmoth’s Complaint (ECF No. 2), the Magistrate recommended that it be dismissed in its entirety for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B). The Magistrate’s initial screening of the matter found that the Complaint failed to allege any specific conduct undertaken by any of the named Defendants.

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen (14) days “will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and

Recommendation.” (ECF No. 3 at 8-9). The deadline for filing objections to the Report and Recommendation has since expired, and no party has objected to the Report and Recommendation.

The Court agrees with Magistrate Judge Deaver’s Report and Recommendation (ECF No. 3), and it is hereby **ADOPTED**. Plaintiff A Strong City’s Application to proceed in forma pauperis (ECF No. 1) is **DENIED**. A Strong City’s claims (ECF No. 2) are **DISMISSED WITHOUT PREJUDICE**. Plaintiff Rev. Dr. Andrew Wenmoth’s application to proceed *in forma pauperis* (ECF No. 1) is **GRANTED**. The Complaint (ECF No. 2) is hereby **DISMISSED** in its entirety for failure to state a claim upon which relief may be granted. Accordingly, the request for appointment of counsel, Motion for Electronic Case Filing Rights (ECF No. 4), and Emergency Motion for Victim, Witness & Evidence Relocation and Protection (ECF No. 6) are **DENIED**.

IT IS SO ORDERED.

/s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: August 7, 2024